

200309810-1

10/696,330

REMARKS

This is a full and timely response to the final Official Action mailed **July 8, 2008**.

Reconsideration of the application in light of the following remarks is respectfully requested.

Claim Status:

Claims 19-51 were withdrawn from consideration under a previous Restriction Requirement and cancelled previously without prejudice or disclaimer.

No claims are amended, cancelled or added by the present paper. Thus, claims 1-18 are currently pending for further action.

Prior Art:

All rejections based on prior art have been withdrawn.

Double Patenting:

Claims 1-18 are provisionally rejected on grounds of non-statutory obviousness-type double patenting in view of co-pending Application No. 10/686,423 to Oriakhi et al. (which will issue as U.S. Patent No. 7,422,713 on September 9, 2008) in combination with the teachings of U.S. Patent App. Pub. No. 2001/0050021 to Bredt et al.

While Applicant continues to traverse this rejection for the reasons of record, to expedite the allowance of this application, Applicant has filed herewith a terminal disclaimer of the present application with respect to co-pending Application No. 10/686,423. Therefore, following entry of this terminal disclaimer into the record, the rejection based on double patenting can be reconsidered and withdrawn.

200309810-1

10/696,330

Conclusion:

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,



DATE: September 8, 2008

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## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office facsimile number 571-273-8300 on September 8, 2008. Number of Pages: 11

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